

Appln No. 10/696,490
Amdt date November 15, 2006
Reply to Office action of May 16, 2006

REMARKS/ARGUMENTS

Claims 1-20 were pending in this application when last examined by the Examiner. Claims 1, 5, 7, 14, and 20 have been amended. Claims 11-13 have been canceled. Claims 21-23 have been added. The amendments find full support in the original specification, claims, and drawings. No new matter has been added. In view of the above amendments and remarks that follow, reconsideration and an early indication of allowance of the now-pending claims 1-10 and 14-23 are respectfully requested.

Claims 1-2 and 11-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Arbinger (U.S. Patent No. 6,339,382) in view of Hutchinson (U.S. Publication No. 2003/0164775). Claims 3-10 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arbinger in view of Hutchinson and further in view of Markow (U.S. Patent No. 6,087,961). Applicant respectfully traverses this rejection.

With respect to claim 1, the Examiner acknowledges that Arbinger fails to teach or suggest a radio receiver that broadcasts an audio warning about the approach of an emergency vehicle. However, she relies on Hutchinson to make up for this deficiency.

Hutchinson discloses a warning device that transmits a radio signal carrying an audio warning. The radio signal is transmitted repeatedly at different carrier frequencies to take into account the different vehicles in range that have their radio receivers tuned to different channels. (par. 0021). If the emergency vehicle transmits its radio signal at a carrier frequency identical with or close to the frequency to which the receiver of the nearby motorist is tuned, then that radio receiver of the nearby motorist automatically retunes to the radio signal from the emergency service vehicle because this signal will be stronger than the signal from the relevant radio transmitting station. (par. 0020). The warning message carried in the signal from the warning device is then delivered over the car's radio receiver. (par. 0021).

The warning device in Hutchinson, however, does not transmit "an interrupt signal over a predetermined data frequency and a primary audio signal representing pertinent vehicle data over a predetermined audio frequency" as is now required by claim 1. (Emphasis added). As such,

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Hutchinson does not teach or suggest "a radio receiver . . . configured to receive the interrupt signal over the predetermined data frequency and in response, automatically switching from a current audio frequency tuned to by the radio receiver to the predetermined audio frequency." Accordingly, claim 1 is now in condition for allowance.

Independent claim 14 includes limitations that are similar to the limitations of claim 1 which make claim 1 allowable. Accordingly, claim 14 is in condition for allowance.

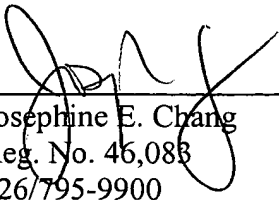
Claims 2-10 and 15-20 are also in condition for allowance because they depend on an allowable base claim, and for the additional limitations that they contain.

Claims 21-23 are new in this application. Claim 21 is an independent claim which recites "receiving at a motorist's vehicle an interrupt signal over a predetermined data frequency and an audio signal including information about the approaching emergency vehicle over a predetermined audio frequency; automatically switching, in response to the interrupt signal, from a current audio frequency to the predetermined audio frequency; and outputting an audio warning message contained in the audio signal received over the predetermined audio frequency," which is not taught nor suggested by any of the cited references. Accordingly, claim 21 is in condition for allowance.

New claims 22-23 are also in condition for allowance because they depend on an allowable base claim, and for the additional limitations that they contain.

In view of the above amendments and remarks, reconsideration and an early indication of allowance of the now-pending claims 1-10 and 14-23 are respectfully requested.

Respectfully submitted,
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